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[Attorneys for additional parties in signature block]

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

COLLEEN STROEDER,

Case No. 3:19-cv-01181-HZ

Plaintiff,

v.

JOINT STATUS REPORT

SERVICE EMPLOYEES
INTERNATIONAL UNION LOCAL 503,
OREGON PUBLIC EMPLOYEES UNION,

Defendant.

Plaintiff Colleen Stroeder and Defendant SEIU Local 503, OPEU (together, the “Parties”) submit this Joint Report in response to the Court’s October 9, 2020 order. Dkt. 40. The Ninth Circuit Court of Appeals issued its decision in *Belgau v. Inslee*, __ F.3d __, 2020 WL 5541390 (9th Cir. Sept. 16, 2020), on September 16, 2020. The plaintiffs in *Belgau* filed a petition for

rehearing en banc on September 30, 2020. That petition is currently pending before the Ninth Circuit.

Plaintiff Stroeder requests that the Court continue the stay in this matter until the petition for rehearing en banc in *Belgau* is resolved. Defendant SEIU Local 503 believes that continuing the stay in this matter is unnecessary, but does not object to Plaintiff's request.

Once the stay in this matter is dissolved, the Parties believe that this matter could be resolved without the need for discovery based on cross-motions for summary judgment based on stipulated facts. The Parties agree that discovery should remain stayed in this matter while the Parties attempt to reach agreement on a set of stipulated facts.

The Parties thus request that the Court set a deadline for the Parties to reach agreement on stipulated facts and to propose a briefing schedule for cross-motions for summary judgment, or to inform the Court that the Parties were unable to reach agreement on a set of stipulated facts. The Parties request that this deadline be set for five weeks after the petition for rehearing en banc in *Belgau* is resolved (if the Court agrees to keep this matter stayed pending the resolution of that petition, as requested by Plaintiff), or five weeks after the date that the Court issues its order setting the deadline (if the Court does not agree to keep this matter stayed pending the petition in *Belgau*).

Respectfully submitted,

Dated: October 14, 2020

By: /s/ Matthew J. Murray
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Dated: October 14, 2020

By: /s/ Brian K. Kelsey

Brian K. Kelsey

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